

Express Mail No.: EL 066 225 477 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

R. ZAMBIAS et al.

Serial No.: 09/009,846

Group Art Unit: 1648

Filed: January 20, 1998

Examiner: P. Achutamurthy

FOR: LOGICALLY ORDERED ARRAYS OF
COMPOUNDS AND METHODS OF
MAKING AND USING THE SAME

Attorney Docket No.:
5925-061



TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
SEP 02 1998
GROUP 180

Sir:

Your Petitioner, Jon R. Stark, represents that he is a partner in the law firm of Pennie & Edmonds, the attorneys of record for the present application.

Your petitioner states that ArQule, Inc. is the Assignee of the entire interest in and to the above identified application by virtue of an assignment which was recorded on May 30, 1995 at reel 7723 frame 0095-117. This petition is made on behalf of and for the benefit of the Assignee.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of (1) any patent issuing from copending U.S. application 08/439,577 as to claims 1-9; (2) U.S. Patent No. 5,712,171 as to claims 10-13 and (3) U.S. Patent 5,736,412 as to claims 14-15; and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any of the U.S. patents of (1), (2) and (3) above.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantees, their successors and their assigns.


09/01/1998 RTSEATE 0000011 161150
01 FC:140 110.00 CH

Petitioner does not disclaim any terminal part of any patent which issues on the above-identified application prior to the expiration date of any of the U.S. patents of (1) , (2) and (3) above in the event that any such patent: is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the Assignee seeking to take action in this matter and that he is empowered to act on behalf of the inventors and Assignee.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 26 th day of August, 1998.


Jon R. Stark 30,111
(Reg. No.)

GAU 1648
\$



Express Mail No.: EL 066 225 477 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

R. ZAMBIAS et al. .

Serial No.: 09/009,846

Group Art Unit: 1648

Filed: January 20, 1998

Examiner: P. Achutamurthy

For: LOGICALLY ORDERED ARRAYS OF
COMPOUNDS AND METHODS OF
MAKING AND USING THE SAME

Attorney Docket No.:
5925-061

TERMINAL DISCLAIMER FEE TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RECEIVED

SEP 6 2 1999

GROUP 1800

A fee of \$110 is believed to be due for the processing and filing of the annexed Terminal Disclaimer.

Please charge any and all required fees for this disclaimer and the filing of the accompanying amendment to Pennie & Edmonds LLP deposit account no. 16-1150.

Respectfully submitted,

Date

8/26/98

By: [Signature]
Allan A. Fanucci / *Reg. No. 42067* *30,256*
Allan A. Fanucci (Reg. No.)

PENNIE & EDMONDS LLP

1155 Avenue of the Americas
New York, New York 10036-2711

(212) 790-9090